

1 **SECTION 46.** 6.855 of the statutes is created to read:

2 **6.855 Alternate absentee ballot site.** (1) The governing body of a municipality may
3 elect to designate a site other than the office of the municipal clerk or board of election
4 commissioners as the location from which electors of the municipality may request and vote
5 absentee ballots and to which voted absentee ballots are returned by an elector. An election
6 by a governing body to establish an alternate site under this section must be made no fewer
7 than 14 days prior to the time that absentee ballots are available for a primary under s. 7.15
8 (1) (cm) and shall remain in effect until at least the day after the election. If the governing body
9 of a municipality makes an election under this section, no function related to absentee ballots
10 that are to be conducted at the alternate site may be conducted in the office of the municipal
11 clerk or board of election commissioners.

12 (2) Notice of the establishment of the alternate site selected under sub. (1) shall be
13 prominently displayed in the office of the municipal clerk or board of election commissioners
14 during the time that absentee ballots are available under s. 7.15 (1) (cm).

15 (3) An alternate site under sub. (1) shall be staffed by the municipal clerk or the
16 executive director of the board of election commissioners, or employees of the clerk or the
17 board of election commissioners.

18 (4) An alternate site under sub. (1) shall be accessible to all individuals with disabilities.

19 **SECTION 47.** 6.86 (1) (a) 2. of the statutes is amended to read:

20 6.86 (1) (a) 2. In person at the office of the municipal clerk or at an alternate site under
21 s. 6.855, if applicable.

22 **SECTION 48.** 6.86 (1) (ac) of the statutes is created to read:

23 6.86 (1) (ac) Any registered elector qualifying under ss. 6.20 and 6.85 as an absent
24 elector, or any military elector under s. 6.22 or 6.36 (2) (c) 1. a., may make written application

1 to the municipal clerk for an official ballot by means of facsimile transmission or electronic
2 mail. Any application under this paragraph shall contain a copy of the applicant's original
3 signature. An elector requesting a ballot under this paragraph shall return with the voted ballot
4 a copy of the request bearing an original signature of the elector as provided in s. 6.87 (4).

5 **SECTION 49.** 6.86 (1) (b) of the statutes is amended to read:

6 6.86 (1) (b) Except as provided in this section, if application is made in-writing by mail,
7 the application, signed by the elector, shall be received no later than 5 p.m. on the Friday 6th
8 day immediately preceding the election. If application is made in person, the application shall
9 be made no later than 5 p.m. on the day preceding the election. If the elector is making written
10 application and the application indicates that the reason for requesting an absentee ballot is
11 that the elector is a sequestered juror, the application shall be received no later than 5 p.m. on
12 election day. If the application is received after 5 p.m. on the Friday immediately preceding
13 the election, the municipal clerk or the clerk's agent shall immediately take the ballot to the
14 court in which the elector is serving as a juror and deposit it with the judge. The judge shall
15 recess court, as soon as convenient, and give the elector the ballot. The judge shall then
16 witness the voting procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or
17 agent of the clerk who shall deliver it to the polling place or, in municipalities where absentee
18 ballots are canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If application
19 is made under sub. (2), the application may be received no later than 5 p.m. on the Friday
20 immediately preceding the election.

21 **SECTION 50.** 6.86 (1) (c) of the statutes is created to read:

22 6.86 (1) (c) If an application is made by mail by a military elector, as defined in s. 6.22
23 (1) (b), the application shall be received no later than 5 p.m. on the Friday immediately
24 preceding the election.

1 **SECTION 51.** 6.86 (3) (c) of the statutes is amended to read:

2 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form under
3 par. (a) 2. may be filed in person at the office of the municipal clerk not earlier than 7 days
4 before an election and not later than 5 p.m. on the day of the election. A list of hospitalized
5 electors applying for ballots under par. (a) 1. shall be made by the municipal clerk and used
6 to check that the electors vote only once, and by absentee ballot. If identification proof of
7 residence under s. 6.34 is required, the municipal clerk shall so inform the agent and the elector
8 shall enclose identification proof of residence in the envelope with the ballot. The ballot shall
9 be sealed by the elector and returned to the municipal clerk either by mail or by personal
10 delivery of the agent; but if the ballot is returned on the day of the election, the agent shall make
11 personal delivery at to the polling place serving the hospitalized elector's residence before the
12 closing hour for the ballot to be counted or, in municipalities where absentee ballots are
13 canvassed under s. 7.52, to the municipal clerk no later than 8 p.m. on election day.

14 **SECTION 52.** 6.865 (3) of the statutes is amended to read:

15 6.865 (3) If the elector making a timely request for an absentee ballot is ~~a military elector~~
16 ~~or an overseas elector~~ and the elector requests that he or she be sent an absentee ballot for the
17 next 2 general elections, the municipal clerk or board of election commissioners shall comply
18 with the request except that no ballot shall be sent for a succeeding general election if the
19 elector's name appeared on the registration list for a previous general election and no longer
20 appears on the registration list for the succeeding general election. If the elector's address for
21 the succeeding general election is in a municipality that is different from the municipality in
22 which the elector resided for the first general election, the clerk or board of election
23 commissioners shall forward the request to the clerk or board of election commissioners of
24 the municipality where the elector resides.

1 **SECTION 53.** 6.865 (3m) of the statutes is created to read:

2 **6.865 (3m)** If the elector making a timely request for an absentee ballot is a military
3 elector, the request shall be treated as provided under s. 6.22 (4).

4 **SECTION 54.** 6.87 (3) (a), (b), and (d) of the statutes are amended to read:

5 **6.87 (3)** (a) Except as authorized under par. (d) and as otherwise provided in s. 6.875,
6 the municipal clerk shall mail the absentee ballot ~~postage prepaid for return to the elector's~~
7 temporary or permanent residence unless otherwise of the elector, as directed by the elector,
8 or shall deliver it to the elector personally at the clerk's office or at an alternate site under s.
9 6.855. If the ballot is mailed, the elector shall provide return postage. If the ballot is delivered
10 to the elector at the clerk's office, or an alternate site under s. 6.855, the ballot shall be voted
11 at the office or alternate site and may not be removed therefrom.

12 (b) ~~No elector may direct that a ballot be sent to the address of a candidate, political party~~
13 ~~or other registrant under s. 11.05 unless the elector permanently or temporarily resides at that~~
14 ~~address. Upon receipt of reliable information that an address given by an elector is not eligible~~
15 ~~to receive ballots under this paragraph subsection, the municipal clerk shall refrain from~~
16 ~~sending mailing or transmitting ballots to that address. Whenever possible, the municipal~~
17 ~~clerk shall notify an elector if his or her ballot cannot be mailed or transmitted to the address~~
18 ~~directed by the elector.~~

19 (d) A municipal clerk ~~of a municipality~~ may, if the clerk is reliably informed by an
20 absent elector of a facsimile transmission number located at the permanent or temporary
21 address of the elector or electronic mail address where the elector can receive an absentee
22 ballot, transmit a facsimile or electronic copy of the absent elector's ballot to that elector in
23 lieu of mailing under this subsection if, in the judgment of the clerk, the time required to send
24 the ballot through the mail may not be sufficient to enable return of the ballot by the time

1 provided under sub. (6). An elector may receive an absentee ballot under this subsection only
2 if the elector has filed a valid application for the ballot under sub. (1). If the clerk transmits
3 an absentee ballot under this paragraph, the clerk shall also transmit a facsimile or electronic
4 copy of the text of the material that appears on the certificate envelope prescribed in sub. (2),
5 together with instructions prescribed by the board. The instructions shall require the absent
6 elector to make and subscribe to the certification as required under sub. (4) and to enclose the
7 absentee ballot in a separate envelope contained within a larger envelope, that shall include
8 the completed certificate. The elector shall then mail the absentee ballot with postage prepaid
9 to the municipal clerk. Except as authorized in s. 6.97 (2), an absentee ballot received under
10 this paragraph shall not be counted unless it is cast in the manner prescribed in this paragraph
11 and in accordance with the instructions provided by the board.

12 **SECTION 55.** 6.87 (3) (c) of the statutes is repealed.

13 **SECTION 56.** 6.87 (4) of the statutes, as affected by 2003 Wisconsin Act 265, is amended
14 to read:

15 6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee shall make
16 and subscribe to the certification before one witness who is an adult U.S. citizen. The absent
17 elector, in the presence of the witness, shall mark the ballot in a manner that will not disclose
18 how the elector's vote is cast. The elector shall then, still in the presence of the witness, fold
19 the ballots so each is separate and so that the elector conceals the markings thereon and deposit
20 them in the proper envelope. If a consolidated ballot under s. 5.655 is used, the elector shall
21 fold the ballot so that the elector conceals the markings thereon and deposit the ballot in the
22 proper envelope. If the elector has registered by mail and has not, or is not certain whether
23 the elector has, previously voted in an election for national office in this state, the elector shall
24 enclose identification proof of residence under s. 6.34 in the envelope. Identification Proof

1 of residence is required if the elector is not a military elector or an overseas elector, as defined
2 in s. 6.36 (2) (c), and the elector registered by mail did not register in person in the office of
3 the municipal clerk or other location authorized under s. 6.28 (1) and has not voted in an
4 election for national office in this state. If the elector requested a ballot by means of facsimile
5 transmission or electronic mail under s. 6.86 (1) (ac), the elector shall enclose in the envelope
6 a copy of the request which bears an original signature of the elector. The elector may receive
7 assistance under sub. (5). The return envelope shall then be sealed. The witness may not be
8 a candidate. The envelope shall be mailed by the elector, postage prepaid, or delivered in
9 person, to the municipal clerk issuing the ballot or ballots. Failure to return an unused ballot
10 in a primary does not invalidate the ballot on which the elector's votes are cast. Return of more
11 than one marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot
12 used with an electronic voting system in a primary which is marked for candidates of more
13 than one party invalidates all votes cast by the elector for candidates in the primary.

14 **SECTION 57.** 6.87 (6) of the statutes is amended to read:

15 6.87 (6) The Except as provided in s. 6.22 (5m), the ballot shall be returned so it is
16 received by the municipal clerk in time for delivery no later than 8 p.m. on election day. Except
17 in municipalities where absentee ballots are canvassed under s. 7.52, if the municipal clerk
18 receives an absentee ballot on election day, the clerk shall secure the ballot and cause the ballot
19 to be delivered to the polls polling place serving the elector's residence before the closing hour.
20 Any Except as provided in s. 6.22 (5m), any ballot not mailed or delivered as provided in this
21 subsection may not be counted.

22 **SECTION 58.** 6.875 (4) and (6) of the statutes are amended to read:

23 6.875 (4) For the purpose of absentee voting in nursing homes and qualified retirement
24 homes and qualified community-based residential facilities, the municipal clerk or board of

1 election commissioners of each municipality in which one or more nursing homes or qualified
2 retirement homes or qualified community-based residential facilities are located shall appoint
3 at least 2 special voting deputies for the municipality. Upon application under s. 6.86 (1) or
4 (2) by one or more qualified electors who are occupants of such a nursing home or qualified
5 retirement home or qualified community-based residential facility, the clerk or board of
6 election commissioners shall dispatch 2 special voting deputies to visit the home or qualified
7 community-based residential facility for the purpose of supervising absentee voting
8 procedure by occupants of the home or qualified community-based residential facility. The
9 clerk shall maintain a list, available to the public upon request, of each nursing home or
10 qualified retirement home or qualified community-based residential facility where an elector
11 has requested an absentee ballot. The list shall include the date and time the deputies intend
12 to visit each facility. The 2 deputies designated to visit each nursing home or qualified
13 retirement home and qualified community-based residential facility shall be affiliated with
14 different political parties whenever deputies representing different parties are available.
15 Nominations for deputy positions may be submitted by the 2 recognized political parties
16 whose candidates for governor or president received the greatest numbers of votes in the
17 municipality at the most recent general election. The deputies shall be specially appointed to
18 carry out duties under this section for the period specified in s. 7.30 (6) (a). The clerk or board
19 of election commissioners may revoke an appointment at any time. No individual who is
20 employed or retained, or within the 2 years preceding appointment has been employed or
21 retained at a nursing home or qualified retirement home or qualified community-based
22 residential facility in the municipality, or any member of the immediate family of such an
23 individual as defined in s. 19.42 (7), may be appointed to serve as a deputy.

1 (6) Special voting deputies in each municipality shall, not later than 5 p.m. on the Friday
2 preceding an election, arrange one or more convenient times with the administrator of each
3 nursing home, qualified retirement home, and qualified community-based residential facility
4 in the municipality from which one or more occupants have filed an application under s. 6.86
5 to conduct absentee voting for the election. The time may be no earlier than the 4th Monday
6 preceding the election and no later than 5 p.m. on the Monday preceding the election. Upon
7 request of a relative of an occupant of a nursing home or qualified retirement home or qualified
8 community-based residential facility, the administrator may notify the relative of the time or
9 times at which special voting deputies will conduct absentee voting at the home or facility, and
10 permit the relative to be present in the room where the voting is conducted. The municipal
11 clerk shall post a notice at the facility indicating the date and time that absentee voting will
12 take place at that facility. The notice shall be posted as soon as practicable after arranging
13 the visit but in no case less than 24 hours before the visit. At the designated time, 2 deputies
14 appointed under sub. (4) shall visit the home or facility. The municipal clerk or executive
15 director of the board of election commissioners shall issue a supply of absentee ballots to the
16 deputies sufficient to provide for the number of valid applications received by the clerk, and
17 a reasonable additional number of ballots. Each deputy may exercise the authority granted
18 to the chief inspector under s. 7.41. The municipal clerk or executive director shall keep a
19 careful record of all ballots issued to the deputies and shall require the deputies to return every
20 ballot issued to them. The deputies shall personally offer each elector who has filed a proper
21 application the opportunity to cast his or her absentee ballot. If an elector is present who has
22 not filed a proper application, the 2 deputies may accept an application from the elector and
23 shall issue a ballot to the elector if the elector is qualified and the application is proper. The
24 deputies shall each witness the certification and may, upon request of the elector, assist the

1 elector in marking the elector's ballot. Upon request of the elector, a relative of the elector
2 who is present in the room may assist the elector in marking the elector's ballot. All voting
3 shall be conducted in the presence of the deputies. No individual other than a deputy may
4 witness the certification and no individual other than a deputy or relative of an elector may
5 render voting assistance to the elector. Upon completion of the voting, the deputies shall
6 promptly deliver, either personally or by 1st class mail, any absentee ballot applications and
7 the sealed certificate envelope containing each ballot to the clerk or board of election
8 commissioners of the municipality in which the elector casting the ballot resides, within such
9 time as will permit delivery to the polling place serving the elector's residence on election day.
10 Personal delivery may be made by the deputies no later than noon on election day. If a
11 qualified elector is not able to cast his or her ballot on 2 separate visits by the deputies to the
12 home or facility, they shall so inform the municipal clerk or executive director of the board
13 of election commissioners, who may then send the ballot to the elector no later than 5 p.m. on
14 the Friday preceding the election.

15 **SECTION 59.** 6.875 (7) of the statutes is created to read:

16 6.875 (7) One observer from each of the 2 recognized political parties whose candidate
17 for governor or president received the greatest number of votes in the municipality at the most
18 recent general election may accompany the deputies to each facility where absentee voting
19 will take place under this section. The observers may observe the process of absentee ballot
20 distribution in the common areas of the facility. Each party wishing to have an observer
21 present shall submit the name of the observer to the clerk or board of election commissioners
22 one day prior to the visit.

23 **SECTION 60.** 6.88 (1) to (3) of the statutes are amended to read:

1 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk, or at an
2 alternate site under s. 6.855, if applicable, the clerk shall enclose it, unopened, in a carrier
3 envelope which shall be securely sealed and endorsed with the name and official title of the
4 clerk, and the words "This envelope contains the ballot of an absent elector and must be opened
5 in the same room where votes are being cast at the polls during polling hours on election day
6 or, in municipalities where absentee ballots are canvassed under s. 7.52, at a meeting of the
7 municipal board of absentee ballot canvassers under s. 7.52". If the ballot was received by
8 the elector by facsimile transmission or electronic mail and is accompanied by a separate
9 certificate, the clerk shall enclose the ballot in a certificate envelope and securely append the
10 completed certificate to the outside of the envelope before enclosing the ballot in the carrier
11 envelope. The clerk shall keep the ballot in the clerk's office or at the alternate site, if
12 applicable until delivered, as required in sub. (2).

13 (2) When an absentee ballot is received by the municipal clerk prior to the delivery of
14 the official ballots to the election officials of the ward in which the elector resides or, where
15 absentee ballots are canvassed under s. 7.52, to the municipal board of absentee ballot
16 canvassers, the municipal clerk shall seal the ballot envelope in the carrier envelope as
17 provided under sub. (1), and shall enclose the envelope in a package and deliver the package
18 to the election inspectors of the proper ward or election district or, in municipalities where
19 absentee ballots are canvassed under s. 7.52, to the municipal board of absentee ballot
20 canvassers when it convenes under s. 7.52. When the official ballots for the ward or election
21 district have been delivered to the election officials inspectors before the receipt of an absentee
22 ballot, the clerk shall immediately enclose the envelope containing the absentee ballot in a
23 carrier envelope as provided under sub. (1) and deliver it in person to the proper election
24 officials.

1 (3) (a) Any Except in municipalities where absentee ballots are canvassed under s. 7.52,
2 at any time between the opening and closing of the polls on election day, the inspectors shall,
3 in the same room where votes are being cast, open the carrier envelope only, and in such a
4 manner that a member of the public, if he or she desired, could hear and see the procedures
5 announce the name of the absent elector or the identification serial number of the absent
6 elector if the elector has a confidential listing under s. 6.47 (2). When the inspectors find that
7 the certification has been properly executed, the applicant is a qualified elector of the ward
8 or election district, and the applicant has not voted in the election, they shall enter an indication
9 on the poll list next to the applicant's name indicating an absentee ballot is cast by the elector.
10 They shall then open the envelope containing the ballot in a manner so as not to deface or
11 destroy the certification thereon. The inspectors shall take out the ballot without unfolding
12 it or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the
13 inspectors shall verify that the ballot has been endorsed by the issuing clerk. If the poll list
14 indicates that identification proof of residence under s. 6.34 is required and no identification
15 proof of residence is enclosed or the name or address on the document that is provided is not
16 the same as the name and address shown on the poll list, the inspectors shall proceed as
17 provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper ballot
18 box and enter the absent elector's name or voting number after his or her name on the poll list
19 in the same manner as if the elector had been present and voted in person.

20 (b) When the inspectors find that a certification is insufficient, that the applicant is not
21 a qualified elector in the ward or election district, that the ballot envelope is open or has been
22 opened and resealed, that the ballot envelope contains more than one ballot of any one kind
23 or, except in municipalities where absentee ballots are canvassed under s. 7.52, that the
24 certificate of an elector who received an absentee ballot by facsimile transmission or

1 electronic mail is missing, or if proof is submitted to the inspectors that an elector voting an
2 absentee ballot has since died, the inspectors shall not count the ballot. The inspectors shall
3 endorse every ballot not counted on the back, "rejected (giving the reason)". The inspectors
4 shall reinsert each rejected ballot into the certificate envelope in which it was delivered and
5 enclose the certificate envelopes and ballots, and securely seal the ballots and envelopes in an
6 envelope marked for rejected absentee ballots. The inspectors shall endorse the envelope,
7 "rejected ballots" with a statement of the ward or election district and date of the election,
8 signed by the chief inspector and one of the inspectors representing each of the 2 major
9 political parties and returned to the municipal clerk in the same manner as official ballots voted
10 at the election.

11 (c) The inspectors shall review each certificate envelope to determine whether any
12 absentee ballot is cast by an elector whose name appears on the poll list as ineligible to vote
13 at the election by reason of a felony conviction. If the inspectors receive an absentee ballot that
14 has been cast by an elector whose name appears on the poll list as ineligible for that reason,
15 the inspectors shall challenge the ballot as provided in s. 6.92 and treat the ballot in the manner
16 provided in s. 6.95.

17 **SECTION 61.** 6.93 of the statutes is amended to read:

18 **6.93 Challenging the absent elector.** The vote of any absent elector may be challenged
19 for cause and the inspectors of election shall have all the power and authority given them to
20 hear and determine the legality of the ballot the same as if the ballot had been voted in person.
21 In municipalities where absentee ballots are canvassed under s. 7.52, the vote of an absentee
22 elector may be challenged as provided in s. 7.52 (5).

23 **SECTION 62.** 6.935 of the statutes is amended to read:

1 **6.935 Challenge based on incompetency.** Section 6.03 (3) applies to any challenge
2 of a person's right to vote under s. 6.92, 6.925 or, 6.93, or 7.52 (5) based on an allegation that
3 an elector is incapable of understanding the objective of the elective process and thereby
4 ineligible to vote.

5 **SECTION 63.** 6.97 (1) and (2) of the statutes are amended to read:

6 6.97 (1) Whenever any individual who is required to provide identification proof of
7 residence under s. 6.34 in order to be permitted to vote appears to vote at a polling place and
8 cannot provide the required identification proof of residence, or the individual has not
9 provided proof of residence as provided in s. 6.88 (3) (a) or 7.52 (3) (a), the inspectors shall
10 offer the opportunity for the individual to vote under this section. If the individual wishes to
11 vote, the inspectors shall provide the elector with an envelope marked "Ballot under s. 6.97,
12 stats." on which the serial number of the elector is entered and shall require the individual to
13 execute on the envelope a written affirmation stating that the individual is a qualified elector
14 of the ward or election district where he or she offers to vote and is eligible to vote in the
15 election. The inspectors shall, before giving the elector a ballot, write on the back of the ballot
16 the serial number of the individual corresponding to the number kept at the election on the poll
17 list or other list maintained under s. 6.79 and the notation "s. 6.97". If voting machines are
18 used in the municipality where the individual is voting, the individual's vote may be received
19 only upon an absentee ballot furnished by the municipal clerk which shall have the
20 corresponding number from the poll list or other list maintained under s. 6.79 and the notation
21 "s. 6.97" written on the back of the ballot by the inspectors before the ballot is given to the
22 elector. When receiving the individual's ballot, the inspectors shall provide the individual
23 with written voting information prescribed by the board under s. 7.08 (8). The inspectors shall
24 indicate on the list the fact that the individual is required to provide identification proof of

1 residence but did not do so. The inspectors shall notify the individual that he or she may
2 provide identification proof of residence to the municipal clerk or executive director of the
3 municipal board of election commissioners. The inspectors shall also promptly notify the
4 municipal clerk or executive director of the name, address, and serial number of the individual.
5 The inspectors shall then place the ballot inside the envelope and place the envelope in a
6 separate carrier envelope.

7 (2) Whenever any individual who votes by absentee ballot is required to provide
8 identification proof of residence under s. 6.34 in order to be permitted to vote and does not
9 provide the required identification proof of residence, the inspectors or, in municipalities
10 where absentee ballots are canvassed under s. 7.52, the municipal board of absentee
11 canvassers shall write on the back of the absentee ballot the serial number of the individual
12 corresponding to the number kept at the election on the poll list or other list maintained under
13 s. 6.79 and the notation "s. 6.97". The inspectors or board of absentee ballot canvassers shall
14 indicate on the list the fact that the individual is required to provide identification but did not
15 do so. The inspectors or board of absentee ballot canvassers shall promptly notify the
16 municipal clerk or executive director of the municipal board of election commissioners of the
17 name, address, and serial number, or in municipalities where absentee ballots are canvassed
18 under s. 7.52, the poll list number of the individual. The inspectors or board of absentee ballot
19 canvassers shall then place the ballot inside an envelope on which the name and serial or poll
20 list number of the elector is entered and shall place the envelope in a separate carrier envelope.

21 **SECTION 64.** 7.03 (1) (a) of the statutes is amended to read:

22 7.03 (1) (a) Except as authorized under this paragraph, a reasonable daily compensation
23 shall be paid to each inspector, voting machine custodian, automatic tabulating equipment
24 technician, member of a board of canvassers, messenger, and tabulator who is employed and

1 performing duties under chs. 5 to 12. Daily compensation shall also be provided to officials
2 inspectors and inspector trainees for attendance at training programs conducted by the board
3 municipal clerks under s. 7.31. Alternatively, such election officials and trainees may be paid
4 by the hour at a proportionate rate for each hour actually worked. Any election official or
5 trainee may choose to volunteer his or her services by filing with the municipal clerk of the
6 municipality in which he or she serves a written declination to accept compensation. The
7 volunteer status of the election official or trainee remains effective until the official or trainee
8 files a written revocation with the municipal clerk.

9 **SECTION 65.** 7.08 (8) (title) of the statutes is amended to read:

10 7.08 (8) (title) ELECTORS VOTING WITHOUT IDENTIFICATION PROOF OF RESIDENCE OR
11 PURSUANT TO COURT ORDER.

12 **SECTION 66.** 7.10 (1) (d) of the statutes is created to read:

13 7.10 (1) (d) The county clerk may receive and store any unused ballots after an election
14 upon request of any municipal clerk of a municipality within the county, and may destroy such
15 ballots pursuant to s. 7.23 (1) (am).

16 **SECTION 67.** 7.15 (1) (e) of the statutes is amended to read:

17 7.15 (1) (e) ~~In coordination with the board, instruct~~ Train election officials in their
18 duties, calling them together whenever advisable, advise them of changes in laws, rules and
19 procedures affecting the performance of their duties, and administer examinations as
20 authorized under s. 7.30 (2) (c). The training shall meet the requirements promulgated in rules
21 by the board under s. 7.31. The clerk shall assure that officials who serve at polling places
22 where an electronic voting system is used are familiar with the system and competent to
23 instruct electors in its proper use. The clerk shall inspect systematically and thoroughly the

1 conduct of elections in the municipality so that elections are honestly, efficiently and
2 uniformly conducted.

3 **SECTION 68.** 7.15 (1m) of the statutes is created to read:

4 7.15 (1m) ATTEND TRAINING. Each municipal clerk shall, at least once every two years,
5 attend training sponsored by the board under 7.31.

6 **SECTION 69.** 7.15 (2m) of the statutes is created to read:

7 7.15 (2m) OPERATION OF ALTERNATE ABSENTEE BALLOT SITE. In a municipality in which
8 the governing body has elected to establish an alternate absentee ballot site under s. 6.855, the
9 municipal clerk shall operate such site as though it were his or her office for absentee ballot
10 purposes and shall ensure that such site is adequately staffed.

11 **SECTION 70.** 7.15 (11) of the statutes is amended to read:

12 7.15 (11) TRAINING OF ELECTION OFFICIALS. Each municipal clerk shall assist the board
13 in the training of train election officials under ss. 5.05 (7) and s. 7.31.

14 **SECTION 71.** 7.23 (1) (a) of the statutes is amended to read:

15 7.23 (1) (a) Any Except as provided in par. (am), unused materials after an election and
16 the contents of the blank ballot box after a primary may be destroyed at a time and in a manner
17 designated by the appropriate clerk.

18 **SECTION 72.** 7.23 (1) (am) of the statutes is created to read:

19 7.23 (1) (am) Unused ballots may be discarded or destroyed no earlier than the day after
20 the last day for the filing of a petition for a recount under s. 9.01 for any office on the ballots.

21 **SECTION 73.** 7.30 (1) of the statutes is renumbered 7.30 (1) (a).

22 **SECTION 74.** 7.30 (1) (b) of the statutes is created to read:

23 7.30 (1) (b) Each municipality may appoint one additional inspector to serve at each
24 polling place without regard to party affiliation who shall serve as a greeter to answer

1 questions and to direct electors to the proper locations for registration and voting and who shall
2 be available to substitute for other election officials who must leave the room during the voting
3 process.

4 **SECTION 75.** 7.30 (2) (a) of the statutes, as affected by 2005 Wisconsin Act 27, is
5 amended to read:

6 7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may conduct
7 an election. Except as otherwise provided in this paragraph and in s. 7.15 (1) (k), each election
8 official shall be a qualified elector of the ward or wards, or the election district, for which the
9 polling place is established. A special registration deputy who is appointed under s. 6.55 (6)
10 or an election official who is appointed under this section to fill a vacancy under par. (b) need
11 not be a resident of the ward or wards, or the election district, but shall be a resident of the
12 municipality, except that if a municipal clerk or deputy clerk serves as a registration deputy
13 or is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need not be a resident
14 of the municipality, but shall be a resident of the state. No more than 2 individuals holding
15 the office of clerk or deputy clerk may serve without regard to municipal residency in any
16 municipality at any election. Special registration deputies who are appointed under s. 6.55 (6)
17 may be appointed to serve more than one polling place. All officials appointed under this
18 section shall be able to read and write the English language, be capable, and be of good
19 understanding, and may not be a candidate for any office to be voted for at an election at which
20 they serve. In 1st class cities, they may hold no public office other than notary public. Except
21 as authorized under sub. subs. (1) (b) and (4) (c), all inspectors shall be affiliated with one of
22 the 2 recognized political parties which received the largest number of votes for president, or
23 governor in nonpresidential general election years, in the ward or combination of wards served
24 by the polling place at the last election. The Excluding the inspector who may be appointed

1 under sub. (1) (b), the party which received the largest number of votes is entitled to one more
2 inspector than the party receiving the next largest number of votes at each polling place. The
3 same election Election officials appointed under this section may serve the electors of more
4 than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is not divided
5 into wards, the ward requirements in this paragraph apply to the municipality at large.

6 **SECTION 76.** 7.30 (2) (am) of the statutes is amended to read:

7 7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is 16 or 17
8 years of age, and who is enrolled in grades 9 to 12 in a public or private school, and who has
9 at least a 3.0 grade point average or the equivalent may serve as an inspector at the polling place
10 serving the pupil's residence, with the approval of the pupil's parent or guardian and of the
11 principal of the school in which the pupil is enrolled. A school board or governing body of
12 a private school may establish criteria for participation by a pupil as an inspector. A pupil may
13 serve as an inspector at a polling place under this paragraph only if at least one election official
14 at the polling place other than the chief inspector is a qualified elector of this state. No pupil
15 may serve as chief inspector at a polling place under this paragraph. Before appointment by
16 any municipality of a pupil as an inspector under this paragraph, the municipal clerk shall
17 obtain written authorization from the pupil's parent or guardian and from the principal of the
18 school where the pupil is enrolled for the pupil to serve for the entire term election for which
19 he or she is appointed. Upon appointment of a pupil to serve as an inspector, the municipal
20 clerk shall notify the principal of the school where the pupil is enrolled of the date of expiration
21 of the pupil's term of office the election at which the pupil has been appointed to serve.

22 **SECTION 77.** 7.30 (2) (b) of the statutes, as affected by 2005 Wisconsin Act 27, is
23 amended to read:

1 7.30 (2) (b) When a vacancy occurs in an office under this section, the vacancy shall
2 be filled by appointment of the municipal clerk. The Unless the vacancy occurs in the position
3 of an inspector appointed under sub. (1) (b), the vacancy shall be filled from the remaining
4 names on the lists submitted under sub. (4) or from additional names submitted by the
5 chairperson of the county party committee of the appropriate party under sub. (4) whenever
6 names are submitted under sub. (4) (d). If the vacancy is due to candidacy, sickness or any
7 other temporary cause, the appointment shall be a temporary appointment and effective only
8 for the election at which the temporary vacancy occurs. The same qualifications shall be
9 required of persons who fill vacancies. Vacancies may be filled in cases of emergency or
10 because of time limitations by a person from another aldermanic district or ward within the
11 municipality.

12 **SECTION 78.** 7.30 (2) (c) of the statutes is amended to read:

13 7.30 (2) (c) The governing body of any municipality may require all persons serving
14 as election officials to prove their ability to read and write English and to have a general
15 knowledge of the election laws. Examinations may be given to prove the qualifications can
16 be met. The municipal clerk shall ensure that all training meets the training requirements
17 promulgated in rules by the board under s. 7.31.

18 **SECTION 79.** 7.30 (4) (a) of the statutes is amended to read:

19 7.30 (4) (a) Except in cities where there is a board of election commissioners, the mayor,
20 president or board chairperson of each municipality shall nominate to the governing body no
21 later than their last regular meeting in December of each even=~~numbered~~ odd-numbered year
22 the necessary election officials for each polling place. If no regular meeting is scheduled, the
23 mayor, president or chairperson shall call a special meeting for the purpose of considering
24 nominations no later than December 31.

1 **SECTION 80.** 7.30 (4) (b) (intro.) of the statutes is amended to read:

2 7.30 (4) (b) (intro.) The 2 dominant parties, under sub. (2), are each responsible for
3 submitting a list of names from which the all appointees to inspector positions, other than
4 appointees to inspector positions authorized under sub. (1) (b), shall be chosen.

5 **SECTION 81.** 7.30 (4) (b) 1. of the statutes is amended to read:

6 7.30 (4) (b) 1. In cities where there is a board of election commissioners, the aldermanic
7 district committeemen or committeewomen under s. 8.17 of each of the 2 dominant
8 recognized political parties shall submit a certified list no later than November 30 of each
9 ~~even-numbered~~ odd-numbered year containing the names of at least as many nominees as
10 there are inspectors from that party for each of the voting wards in the aldermanic district. The
11 chairperson may designate any individual whose name is submitted as a first choice nominee.
12 The board of election commissioners shall appoint, no later than December 31 of
13 ~~even-numbered~~ years, at least 5 inspectors for each ward. The board of election
14 commissioners shall appoint all first choice nominees for so long as positions are available,
15 unless nonappointment is authorized under par. (e), and shall appoint other individuals in its
16 discretion. The board of election commissioners may designate such alternates as it deems
17 advisable.

18 **SECTION 82.** 7.30 (4) (c) of the statutes is amended to read:

19 7.30 (4) (c) ~~For~~ Except with respect to inspectors who are appointed under sub. (1) (b),
20 for so long as nominees are made available by the political parties under this section,
21 appointments may be made only from the lists of submitted nominees. If the lists are not
22 submitted by November 30 of the year in which appointments are to be made, the board of
23 election commissioners shall appoint, or the mayor, president or chairperson of a municipality
24 shall nominate qualified persons whose names have not been submitted. If an insufficient

1 number of nominees appears on the lists as of November 30, the board of election
2 commissioners shall similarly appoint, or the mayor, president or chairperson shall similarly
3 nominate sufficient individuals to fill the remaining vacancies. In addition, the mayor,
4 president, or board chairperson of the municipality shall similarly nominate qualified persons
5 to serve in the inspector positions authorized under sub. (1) (b). Any appointment which is
6 made due to the lack of availability of names submitted under par. (b) may be made without
7 regard to party affiliation.

8 **SECTION 83.** 7.30 (6) (a) of the statutes is amended to read:

9 7.30 (6) (a) The Except as provided in par. (am), the appointed election officials shall
10 hold office for 2 years and until their successors are appointed and qualified. They shall serve
11 at every election held in their ward during their term of office.

12 **SECTION 84.** 7.30 (6) (am) of the statutes is created to read:

13 7.30 (6) (am) A pupil appointed as an inspector under sub. (2) (am) shall serve as an
14 inspector only for the election for which he or she is appointed. Nothing in this paragraph shall
15 be construed to limit the number of times a pupil may be appointed as an inspector.

16 **SECTION 85.** 7.30 (6) (b) of the statutes is amended to read:

17 7.30 (6) (b) Prior to the first election following the appointment of the inspectors, the
18 municipal clerk shall appoint one of the inspectors at each polling place, other than an
19 inspector who is appointed under sub. (1) (b), to serve as chief inspector. No person may serve
20 as chief inspector at any election who is not certified by the board under s. 7.31 at the time of
21 the election. The chief inspector shall hold the position for the remainder of the term unless
22 the inspector is removed by the clerk or the inspector ceases to be certified under s. 7.31, ~~except~~
23 ~~that whenever.~~ Whenever wards are combined or separated under s. 5.15 (6) (b), the municipal
24 clerk shall appoint another inspector who is certified under s. 7.31 to serve as chief inspector

1 at each polling place designated under s. 5.15 (6) (b). If a vacancy occurs in the position of
2 chief inspector at any polling place, the municipal clerk shall appoint one of the other
3 inspectors who is certified under s. 7.31 to fill the vacancy.

4 **SECTION 86.** 7.30 (6) (c) of the statutes is amended to read:

5 7.30 (6) (c) If any election official appointed under this section lacks the qualifications
6 set forth in this section, fails to attend training sessions required under s. 7.15 (1) (e) unless
7 excused therefrom, is guilty of neglecting his or her official duties or commits official
8 misconduct, the municipal clerk or board of election commissioners shall summarily remove
9 the official from office and the vacancy shall be filled under sub. (2) (b).

10 **SECTION 87.** 7.31 (title) of the statutes is amended to read:

11 **7.31 (title) Training and certification of chief inspectors, other election officials,**
12 **special voting deputies, and special registration deputies.**

13 **SECTION 88.** 7.31 (1) is renumbered (1) (a) and 7.31 (2) to (5) of the statutes are
14 renumbered (b) to (e).

15 **SECTION 89.** 7.31 (2m) of the statutes is created to read:

16 7.31 (2m) (a) The board shall, by rule, prescribe the contents of the training that
17 municipal clerks must provide to municipal election officials, other than chief inspectors, and
18 to special voting deputies under s. 6.875 and special registration deputies under s. 6.26.

19 (b) 1. Except as provided in subd. 2., no individual may serve as an election official,
20 other than a chief inspector, or as a special voting deputy under s. 6.875 or a special registration
21 deputy under s. 6.26 unless the individual has completed training provided by the municipal
22 clerk pursuant to rules promulgated under par. (a).

23 2. Only when an individual who has received training under subd. 1. is unavailable to
24 perform his or her election duties due to sickness, injury, or other unforeseen occurrence may

1 an individual who has not received training under subd. 1. be appointed to serve as an election
2 official, other than chief inspector, or a special voting or registration deputy. The appointment
3 of an individual to serve under this subdivision shall last no longer than one day and no
4 individual may be appointed under this subdivision more than one time in a two-year period.

5 **SECTION 90.** 7.31 (3m) of the statutes is created to read:

6 7.31 (3m) The board shall, by rule, prescribe requirements for, and the content of,
7 training required of municipal clerks under s. 7.15 (1m). The board may provide such training
8 directly or arrange for such training to be provided by other organizations. The rules may not
9 require training more than once every two years. The rules shall provide a method for
10 notifying the relevant municipal governing body if a municipal clerk fails to attend required
11 training.

12 **SECTION 91.** 7.31 (4m) of the statutes is created to read:

13 7.31 (4m) The board may produce and periodically reissue as necessary a video
14 program for the purpose of training election officials, special voting deputies and special
15 registration deputies. The board shall make any such program available for viewing
16 electronically through an Internet-based system.

17 **SECTION 92.** 7.33 (3) of the statutes is amended to read:

18 7.33 (3) Every employer shall grant to each employee who is appointed to serve as an
19 election official under s. 7.30 a leave of absence for the entire 24-hour period of each election
20 day in which the official serves in his or her official capacity. An employee who serves as an
21 election official shall provide his or her employer with at least 7 days' notice of application
22 for a leave. The municipal clerk shall verify appointments upon request of any employer.

23 **SECTION 93.** 7.37 (13) of the statutes is created to read:

1 7.37 (13) At the time the polls officially close, an inspector, including an inspector
2 appointed under s. 7.30 (1) (b), shall position himself or herself at the end of the line of
3 individuals waiting to vote, if any. Only individuals in line ahead of the inspector shall be
4 permitted to vote under s. 6.78 (4).

5 **SECTION 94.** 7.41 of the statutes is amended to read:

6 **7.41 Public's right to access. (1)** Any member of the public may be present at any
7 polling place, in the office of any municipal clerk whose office is located in a public building
8 on any day that absentee ballots may be cast in that office, or at an alternate site under s. 6.855,
9 on any day that absentee ballots may be cast at that site for the purpose of observation of an
10 election and the absentee ballot process, except a candidate whose name appears on the ballot
11 at the polling place or on an absentee ballot to be cast at the clerk's office or alternate site at
12 that election. The chief inspector or municipal clerk may reasonably limit the number of
13 persons representing the same organization who are permitted to observe an election under
14 this subsection at the same time.

15 **(2)** The chief inspector or municipal clerk may restrict the location of any individual
16 exercising the right under sub. (1) to certain areas within a polling place, the clerk's office or
17 alternate site under s. 6.855. The chief inspector or municipal clerk shall clearly designate
18 such an area as an observation area. Designated observation areas shall be so positioned to
19 permit any authorized individual to readily observe all public aspects of the voting process.

20 **(3)** The chief inspector or municipal clerk may order the removal of any individual
21 exercising the right under sub. (1) if that individual commits an overt act which:

22 (a) Disrupts the operation of the polling place, clerk's office, or alternate site under s.
23 6.855; or

24 (b) Violates s. 12.03 (2).

1 **(4)** No individual exercising the right under sub. (1) may view the confidential portion
2 of a registration list maintained under s. 6.36 (4) or a poll list maintained under s. 6.79 (6).
3 However, the inspectors or municipal clerk shall disclose to such an individual, upon request,
4 the existence of such a list, the number of electors whose names appear on the list, and the
5 number of those electors who have voted at any point in the proceedings. No such individual
6 may view the certificate of an absent elector who obtains a confidential listing under s. 6.47
7 (2).

8 **SECTION 95.** 7.41 (5) of the statutes is created to read:

9 7.41 **(5)** The board shall promulgate rules regarding the proper conduct of individuals
10 exercising the right under sub. (1), including the interaction of those individuals with
11 inspectors and other election officials.

12 **SECTION 96.** 7.51 (1) of the statutes is amended to read:

13 7.51 **(1)** CANVASS PROCEDURE. Immediately after the polls close the inspectors except
14 any inspector appointed under s. 7.30 (1) (b) shall proceed to canvass publicly all votes
15 received at the polling place. In any municipality where an electronic voting system is used,
16 the municipal governing body or board of election commissioners may provide or authorize
17 the municipal clerk or executive director of the board of election commissioners to provide
18 for the adjournment of the canvass to one or more central counting locations for specified
19 polling places in the manner prescribed in subch. III of ch. 5. No central counting location
20 may be used to count votes at a polling place where an electronic voting system is not
21 employed. The canvass, whether conducted at the polling place or at a central counting
22 location, shall continue without adjournment until the canvass is completed and the return
23 statements are made or, in municipalities where absentee ballots are canvassed under s. 7.52,
24 until the canvass of all ballots cast is completed and the return statements for those ballots are

1 made. The inspectors shall not permit access to the name of any elector who has obtained a
2 confidential listing under s. 6.47 (2) during the canvass, except as authorized in s. 6.47 (8).

3 **SECTION 97.** 7.51 (2) (c) of the statutes is amended to read:

4 7.51 (2) (c) Whenever the number of ballots exceeds the number of voting electors as
5 indicated on the poll list, the inspectors shall place all ballots face up to check for blank ballots.
6 In this paragraph, "blank ballot" means a ballot on which no votes are cast for any office or
7 question. The inspectors shall mark, lay aside and preserve any blank ballots. If Except in
8 municipalities where absentee ballots are canvassed under s. 7.52, if the number of ballots still
9 exceeds the number of voting electors, the inspectors shall place all ballots face down and
10 proceed to check for the initials. The inspectors shall mark, lay aside and preserve any ballot
11 not bearing the initials of 2 inspectors or any absentee ballot not bearing the initials of the
12 municipal clerk. During the count the inspectors shall count those ballots cast by challenged
13 electors the same as the other ballots.

14 **SECTION 98.** 7.51 (2) (e) of the statutes is amended to read:

15 7.51 (2) (e) If, Except in municipalities where absentee ballots are canvassed under s.
16 7.52, if after any ballots have been laid aside, the number of ballots still exceeds the total
17 number of electors recorded on the poll list, the inspectors shall separate the absentee ballots
18 from the other ballots. If there is an excess number of absentee ballots, the inspectors shall
19 place the absentee ballots in the ballot box and one of the inspectors shall publicly and without
20 examination draw therefrom by chance the number of ballots equal to the excess number of
21 absentee ballots. If there is an excess number of other nonabsentee ballots, the inspectors shall
22 place those ballots in the ballot box and one of the inspectors shall publicly and without
23 examination draw therefrom by chance the number of ballots equal to the excess number of
24 those ballots. All ballots so removed may not be counted but shall be specially marked as

1 having been removed by the inspectors on original canvass due to an excess number of ballots,
2 set aside and preserved. When the number of ballots and total shown on the poll list agree,
3 the inspectors shall return all ballots to be counted to the ballot box and shall turn the ballot
4 box in such manner as to thoroughly mix the ballots. The inspectors shall then open, count
5 and record the number of votes. When the ballots are counted, the inspectors shall separate
6 them into piles for ballots similarly voted. Objections may be made to placement of ballots
7 in the piles at the time the separation is made.

8 **SECTION 99.** 7.51 (3) (d) of the statutes is amended to read:

9 7.51 (3) (d) All Except in municipalities where absentee ballots are canvassed under
10 s. 7.52, all absentee certificate envelopes which have been opened shall be returned by the
11 inspectors to the municipal clerk in a securely sealed carrier envelope which is clearly marked
12 "used absentee certificate envelopes". The envelopes shall be signed by the chief inspector
13 and 2 other inspectors. Except when the ballots are used in a municipal or school district
14 election only, the municipal clerk shall transmit the used envelopes to the county clerk.

15 **SECTION 100.** 7.51 (4) (a) of the statutes is amended to read:

16 7.51 (4) (a) The tally sheets shall state the total number of votes cast for each office and
17 for each individual receiving votes for that office, whether or not the individual's name
18 appears on the ballot, and shall state the vote for and against each proposition voted on. Upon
19 completion of the tally sheets, the inspectors shall immediately complete the inspectors'
20 statements in duplicate statement. The inspectors shall state the excess, if any, by which the
21 number of ballots exceeds the number of electors voting as shown by the poll list and shall state
22 the number of the last elector as shown by the poll lists. At least 3 inspectors, including the
23 chief inspector and, unless election officials are appointed under s. 7.30 (4) (c) without regard
24 to party affiliation, at least one inspector representing each political party, but not including

1 any inspector appointed under s. 7.30 (1) (b), shall then certify to the correctness of the
2 statements statement and tally sheets and sign their names. All other election officials
3 assisting with the tally shall also certify to the correctness of the tally sheets. When the tally
4 is complete, the inspectors shall publicly announce the results from the statements statement.

5 **SECTION 101.** 7.51 (5) (a) of the statutes is amended to read:

6 7.51 (5) (a) 1. The inspectors shall make full and accurate return of the votes cast for
7 each candidate and proposition on tally sheet forms provided by the municipal clerk for that
8 purpose. Each tally sheet shall record the returns for each office or referendum by ward, unless
9 combined returns are authorized in accordance with s. 5.15 (6) (b) in which case the tally sheet
10 shall record the returns for each group of combined wards.

11 2. After recording the votes, the inspectors shall seal in a carrier envelope outside the
12 ballot bag or container ~~one inspectors' statement under sub. (4) (a)~~, one tally sheet, and one
13 poll list for delivery to the county clerk, unless the election relates only to municipal or school
14 district offices or referenda.

15 3. The inspectors shall also similarly seal ~~one inspectors' statement~~, one tally sheet, and
16 one poll list for delivery to the municipal clerk. For school district elections, except in 1st class
17 cities, the inspectors shall similarly seal ~~one inspectors' statement~~, one tally sheet, and one poll
18 list for delivery to the school district clerk.

19 4. The inspectors shall immediately deliver all ballots, statements, tally sheets, lists, and
20 envelopes to the municipal clerk.

21 5. Upon receipt of the materials under subd. 4., the municipal clerk shall make sufficient
22 copies of the inspectors' statement under sub. (4) (a) and include a copy with any materials
23 required to be delivered to the county clerk and school district clerk. The municipal clerk shall
24 retain the original inspectors' statement.

1 **SECTION 102.** 7.51 (5) (b) of the statutes is amended to read:

2 7.51 **(5)** (b) The municipal clerk shall ~~arrange for delivery of~~ deliver all ballots,
3 statements, tally sheets, lists, and envelopes relating to a school district election to the school
4 district clerk by 4 p.m. on the day following each such election. The municipal clerk shall
5 deliver the ballots, statements, tally sheets, lists, and envelopes for his or her municipality
6 relating to any county, technical college district, state, or national election to the county clerk
7 by ~~2~~ 4 p.m. on the day following each such election. The person delivering the returns shall
8 be paid out of the municipal treasury. Each clerk shall retain ballots, statements, tally sheets,
9 or envelopes received by the clerk until destruction is authorized under s. 7.23 (1).

10 **SECTION 103.** 7.52 of the statutes is created to read:

11 **7.52 Canvassing of absentee ballots. (1)** The governing body of any municipality
12 may provide by ordinance that, in lieu of canvassing absentee ballots at polling places under
13 s. 6.88, the municipal board of absentee ballot canvassers designated under s. 7.53 (2m) shall
14 canvass all absentee ballots at all elections held in the municipality. Thereafter, at every
15 election, the board of absentee ballot canvassers shall, any time after the opening of the polls
16 and before 10 p.m. on election day, publicly convene to count the absentee ballots for the
17 municipality. The municipal clerk shall give at least 48 hours' notice of any meeting under
18 this subsection. Any member of the public has the same right of access to a meeting of the
19 municipal absentee ballot board of canvassers under this subsection that the individual would
20 have under s. 7.41 to observe the proceedings at a polling place. The board of absentee ballot
21 canvassers may order the removal of any individual exercising the right to observe the
22 proceedings if the individual disrupts the meeting.

23 **(2)** In counting the absentee ballots, the board of absentee ballot canvassers shall use
24 2 duplicate copies of a single poll list for the entire municipality prepared in accordance with

1 s. 6.36 (2). Upon accepting each absentee ballot, the board of absentee ballot canvassers shall
2 enter a poll list number on the poll list next to the name of the elector who voted the ballot,
3 beginning with the number one. If the elector's name does not appear on the poll list, the board
4 of absentee ballot canvassers shall enter the number on a separate list maintained under this
5 subsection.

6 (3) (a) The board of absentee ballot canvassers shall first open the carrier envelope only,
7 and, in such a manner that a member of the public, if he or she desired, could hear, announce
8 the name of the absent elector or the identification serial number of the absent elector if the
9 elector has a confidential listing under s. 6.47 (2). When the board of absentee ballot
10 canvassers finds that the certification has been properly executed, the applicant is a qualified
11 elector of the ward or election district, and the applicant has not voted in the election, the board
12 of absentee ballot canvassers shall enter an indication on the poll list next to the applicant's
13 name indicating an absentee ballot is cast by the elector. The board of absentee ballot
14 canvassers shall then open the envelope containing the ballot in a manner so as not to deface
15 or destroy the certification thereon. The board of absentee ballot canvassers shall take out the
16 ballot without unfolding it or permitting it to be unfolded or examined. Unless the ballot is
17 cast under s. 6.95, the board of absentee ballot canvassers shall verify that the ballot has been
18 endorsed by the issuing clerk. If the poll list indicates that proof of residence is required and
19 no proof of residence is enclosed or the name or address on the document that is provided is
20 not the same as the name and address shown on the poll list, the board of absentee ballot
21 canvassers shall proceed as provided under s. 6.97 (2). The board of absentee ballot
22 canvassers shall mark the poll list number of each elector who casts an absentee ballot on the
23 back of the elector's ballot. The board of absentee ballot canvassers shall then deposit the

1 ballot into the proper ballot box and enter the absent elector's name or poll list number after
2 his or her name on the poll list.

3 (b) When the board of absentee ballot canvassers finds that a certification is insufficient,
4 that the applicant is not a qualified elector in the ward or election district, that the ballot
5 envelope is open or has been opened and resealed, that the ballot envelope contains more than
6 one ballot of any one kind, or that the certificate of an elector who received an absentee ballot
7 by facsimile transmission or electronic mail is missing, or if proof is submitted to the board
8 of absentee ballot canvassers that an elector voting an absentee ballot has since died, the board
9 of absentee ballot canvassers shall not count the ballot. Each member of the board of absentee
10 ballot canvassers shall endorse every ballot not counted on the back as "rejected (giving the
11 reason)." The board of absentee ballot canvassers shall reinsert each rejected ballot into the
12 certificate envelope in which it was delivered and enclose the certificate envelopes and ballots,
13 and securely seal the ballots and envelopes in an envelope marked for rejected absentee
14 ballots. The board of absentee ballot canvassers shall endorse the envelope as "rejected
15 ballots," with a statement of the ward or election district and date of the election, and each
16 member of the board of absentee ballot canvassers shall sign the statement. The board of
17 absentee ballot canvassers shall then return the envelope containing the ballots to the
18 municipal clerk.

19 (4) (a) The board of absentee ballot canvassers shall then open the ballot box and
20 remove and count the number of ballots therein without examination except as is necessary
21 to ascertain that each is a single ballot. If 2 or more ballots are folded together so as to appear
22 as a single ballot, the board of absentee ballot canvassers shall lay them aside until the count
23 is completed; and if, after a comparison of the count and the appearance of the ballots it appears
24 to the board of absentee ballot canvassers that the ballots folded together were voted by the

1 same person they shall not be counted but the board of absentee ballot canvassers shall mark
2 them as to the reason for removal, set them aside, and carefully preserve them. The board of
3 absentee ballot canvassers shall then proceed under par. (b).

4 (b) When during the counting of the ballots cast at an election the board of absentee
5 ballot canvassers finds that a ballot is so defective that it cannot determine with reasonable
6 certainty for whom it was cast, the board of absentee ballot canvassers shall so mark the ballot
7 and preserve it. The board of absentee ballot canvassers shall not count the vote cast on the
8 ballot for any office for which it determines the ballot to be defective.

9 (c) Whenever the number of ballots exceeds the number of voting electors as indicated
10 on the poll list, the board of absentee ballot canvassers shall place all ballots face up to check
11 for blank ballots. In this paragraph, "blank ballot" means a ballot on which no votes are cast
12 for any office or question. The board of absentee ballot canvassers shall mark, lay aside, and
13 preserve any blank ballots. If the number of ballots still exceeds the number of voting electors,
14 the board of absentee ballot canvassers shall place all ballots face down and proceed to check
15 for the initials. The board of absentee ballot canvassers shall mark, lay aside, and preserve
16 any ballot not bearing the initials of the municipal clerk. During the count, the board of
17 absentee ballot canvassers shall count those ballots cast by challenged electors the same as the
18 other ballots.

19 (d) The board of absentee ballot canvassers shall keep a written statement, in duplicate,
20 of the number of ballots set aside and the number of defective ballots and challenged ballots.
21 The statement shall contain a record of the reasons for setting aside each ballot and the reasons
22 why each defective or challenged ballot is defective or challenged. The board of absentee
23 ballot canvassers shall certify that the statement is correct, sign it, and attach it to the tally
24 sheets.

1 (e) If, after any ballots have been set aside, the number of ballots still exceeds the total
2 number of electors recorded on the poll list, the board of absentee ballot canvassers shall place
3 the absentee ballots in the ballot box and one of the members shall publicly and without
4 examination draw therefrom by chance the number of ballots equal to the excess number of
5 ballots. All ballots so removed shall not be counted but shall be specially marked as having
6 been removed by the board of absentee ballot canvassers on original canvass due to an excess
7 number of ballots, set aside, and preserved. When the number of ballots and total shown on
8 the poll list agree, the board of absentee ballot canvassers shall return all ballots to be counted
9 to the ballot box and shall turn the ballot box in such manner as to thoroughly mix the ballots.
10 The board of absentee ballot canvassers shall then open, count, and record the number of votes.
11 When the ballots are counted, the board of absentee ballot canvassers shall separate them into
12 piles for ballots similarly voted. Objections may be made to placement of ballots in the piles
13 at the time the separation is made.

14 (f) If corrected ballots under s. 5.06 (6) or 5.72 (3) are distributed under s. 7.10 (3), only
15 the votes cast on the corrected ballots may be counted for any office or referendum in which
16 the original ballots differ from the corrected ballots.

17 (g) The board of absentee ballot canvassers shall place together all ballots counted by
18 it which relate to any national, state, or county office or any state, county, or technical college
19 district referendum and secure them together so that they cannot be untied or tampered with
20 without breaking the seal. The secured ballots, together with any ballots marked "Defective,"
21 shall then be secured by the board of absentee ballot canvassers in the ballot container in such
22 a manner that the container cannot be opened without breaking the seals or locks, or destroying
23 the container. The board of absentee ballot canvassers shall place the ballots cast under s. 6.97
24 in a separate, securely sealed carrier envelope which is clearly marked "Section 6.97 ballots."

1 Each member of the board of absentee ballot canvassers shall sign the carrier envelope. The
2 carrier envelope shall not be placed in the ballot container. The board of absentee ballot
3 canvassers shall then deliver the ballots to the municipal clerk in the ballot container and
4 carrier envelope.

5 (h) For ballots that relate only to municipal or school district offices or referenda, the
6 board of absentee ballot canvassers, in lieu of par. (a), after counting the ballots shall return
7 them to the proper ballot boxes, lock the boxes, paste paper over the slots, sign their names
8 to the paper, and deliver them and the keys therefor to the municipal or school district clerk.
9 The clerk shall retain the ballots until destruction is authorized under s. 7.23.

10 (i) All absentee certificate envelopes which have been opened shall be returned by the
11 board of absentee ballot canvassers to the municipal clerk in a securely sealed carrier envelope
12 that is clearly marked "used absentee certificate envelopes." The envelopes shall be signed
13 by each member of the board of absentee ballot canvassers. Except when the ballots are used
14 in a municipal or school district election only, the municipal clerk shall transmit the used
15 envelopes to the county clerk.

16 (5) The vote of any absent elector may be challenged for cause and the board of absentee
17 ballot canvassers shall have all the power and authority given the inspectors to hear and
18 determine the legality of the ballot the same as if the ballot had been voted in person.

19 (6) (a) The board of absentee ballot canvassers shall review each certificate envelope
20 to determine whether any absentee ballot is cast by an elector whose name appears on the poll
21 list as ineligible to vote at the election, including ineligibility to vote by reason of a felony
22 conviction. If the board of absentee ballot canvassers receives an absentee ballot that has been
23 cast by an elector whose name appears on the poll list as ineligible to vote, the inspectors shall
24 challenge the ballot in the same manner as provided for inspectors making challenges under

1 s. 6.92 and shall treat the ballot in the manner as provided for treatment of challenged ballots
2 by inspectors under s. 6.95.

3 (b) Any elector may challenge for cause any absentee ballot other than a ballot that was
4 cast in person under s. 6.86 (1) (a) 2. or under s. 6.873. For the purpose of deciding upon ballots
5 that are challenged for any reason, the board of absentee ballot canvassers may call before it
6 any person whose absentee ballot is challenged if the person is available to be called. If the
7 person challenged refuses to answer fully any relevant questions put to him or her by the board
8 of absentee ballot canvassers under s. 6.92, the board of absentee ballot canvassers shall reject
9 the elector's vote. If the challenge is not withdrawn after the person offering to vote has
10 answered the questions, one of the members of the board of absentee ballot canvassers shall
11 administer to the person the following oath or affirmation: "You do solemnly swear (or affirm)
12 that: you are 18 years of age; you are a citizen of the United States; you are now and for 10
13 days have been a resident of this ward except under s. 6.02 (2); you have not voted at this
14 election; you have not made any bet or wager or become directly or indirectly interested in
15 any bet or wager depending upon the result of this election; you are not on any other ground
16 disqualified to vote at this election." If the person challenged refuses to take the oath or
17 affirmation, the person's vote shall be rejected. If the person challenged answers fully all
18 relevant questions put to the elector by the board of absentee ballot canvassers under s. 6.92,
19 takes the oath or affirmation, and fulfills the applicable registration requirements, and if the
20 answers to the questions given by the person indicate that the person meets the voting
21 qualification requirements, the person's vote shall be received.

22 (7) The board of absentee ballot canvassers shall maintain tally sheets on forms
23 provided by the municipal clerk, which shall state the total number of votes cast for each office
24 and for each individual receiving votes for that office, whether or not the individual's name

1 appears on the ballot, and shall state the vote for and against each proposition voted on. Upon
2 completion of the canvass of the absentee ballots, the board of absentee ballot canvassers shall
3 immediately complete statements in duplicate. The statements shall state the excess, if any,
4 by which the number of ballots exceeds the number of electors voting as shown by the poll
5 list used by the board of absentee ballot canvassers under this section and shall state the poll
6 list number of the last elector as shown by the poll list. Each member of the board of absentee
7 ballot canvassers shall then certify to the correctness of the statements and tally sheets and sign
8 their names. All other election officials assisting with the tally shall also certify to the
9 correctness of the tally sheets. When the tally is complete, the board of absentee ballot
10 canvassers shall publicly announce the results from the statements and the records of the count
11 are open to public inspection and copying under s. 19.35 (1).

12 (8) The board of absentee ballot canvassers shall make full and accurate return of the
13 votes cast for each candidate and proposition on the tally sheet forms. Each tally sheet shall
14 record the returns for each office or referendum by ward, unless combined returns are
15 authorized in accordance with s. 5.15 (6) (b), in which case the tally sheet shall record the
16 returns for each group of combined wards. After recording the votes, the board of absentee
17 ballot canvassers shall seal in a carrier envelope outside the ballot bag or container one
18 inspector's statement under sub. (4) (d), one tally sheet, and one poll list for delivery to the
19 county clerk, unless the election relates only to municipal or school district offices or
20 referenda. The board of absentee ballot canvassers shall also similarly seal one statement, one
21 tally sheet, and one poll list for delivery to the municipal clerk.

22 (9) The governing body of any municipality that has provided by ordinance enacted
23 under sub. (1) for the canvassing of absentee ballots at all elections held in the municipality

1 under this section may by similar action rescind that decision. Thereafter, the absentee ballots
2 at all elections held in the municipality shall be canvassed as provided in s. 6.88.

3 **SECTION 104.** 7.53 (1) of the statutes is amended to read:

4 7.53 (1) MUNICIPALITIES WITH ONE POLLING PLACE. Where the municipality constitutes
5 one ward or combines all wards to utilize a single polling place under s. 5.15 (6) (b), the
6 canvass of the votes cast at the polling place shall be conducted publicly under s. 7.51 and the
7 inspectors, other than any inspector appointed under s. 7.30 (1) (b), shall act as the municipal
8 board of canvassers. In municipalities where absentee ballots are canvassed under ss. 7.52,
9 after the canvass of the absentee ballots is completed under s. 7.52, the board of absentee ballot
10 canvassers shall reconcile the poll list of the electors who vote by absentee ballot with the
11 corresponding poll list of the electors who vote in person to ensure that no elector is allowed
12 to cast more than one ballot. If an elector who votes in person has submitted an absentee ballot,
13 the absentee ballot is void. Upon completion of the canvass under this section and any canvass
14 that is conducted under s. 7.52 and ascertainment of the results by the inspectors or, in
15 municipalities where absentee ballots are canvassed under s. 7.52, by the inspectors and the
16 board of absentee ballot canvassers, the municipal clerk shall publicly read to the inspectors
17 or the board of absentee ballot canvassers the names of the persons voted for and the number
18 of votes for each person for each municipal office, the names of the persons declared by the
19 inspectors or board of absentee ballot canvassers to have won nomination or election to each
20 municipal office, and the number of votes cast for and against each municipal referendum
21 question.

22 **SECTION 105.** 7.53 (2) (a) of the statutes is amended to read:

23 7.53 (2) (a) 1. Except as provided in par. (c), the municipal board of canvassers for
24 municipal elections in each municipality utilizing more than one polling place shall be

1 composed of the municipal clerk and 2 other qualified electors of the municipality appointed
2 by the clerk. The members of the board of canvassers shall serve for 2-year terms
3 commencing on January 1 of each odd-numbered year, except that any member who is
4 appointed to fill a permanent vacancy shall serve for the unexpired term of the original
5 appointee.

6 2. If the municipal clerk's office is vacant, or if the clerk cannot perform his or her duties
7 or if the clerk is a candidate at an election being canvassed, the mayor, president or board
8 chairperson of the municipality shall designate another qualified elector of the municipality
9 to serve in lieu of the clerk for that election.

10 3. If the clerk is a candidate at an election being canvassed, the clerk may perform his
11 or her duties on the board only if the clerk does not have an opponent whose name appears
12 on the ballot, or, in the case of a recount, if the office the clerk is seeking is not a subject of
13 the recount. If the clerk is a candidate at the election being canvassed and has an opponent
14 whose name appears on the ballot, or if the office the clerk is seeking is a subject of a recount,
15 the mayor, president, or board chairperson of the municipality shall designate another
16 qualified elector of the municipality to serve in lieu of the clerk for that election.

17 4. If any other member of the board of canvassers is a candidate at the election being
18 canvassed, the clerk shall appoint another qualified elector of the municipality to temporarily
19 fill the vacancy.

20 **SECTION 106.** 7.53 (2) (d) of the statutes is amended to read:

21 7.53 (2) (d) The municipal board of canvassers shall publicly canvass the returns of
22 every municipal election. The canvass shall begin within 24 hours after the polls close. After
23 any canvass of the absentee ballots is completed under s. 7.52, the board of canvassers shall
24 reconcile the poll list of the electors who vote by absentee ballot with the corresponding poll

1 list of the electors who vote in person to ensure that no elector is allowed to cast more than
2 one ballot. If an elector who votes in person has submitted an absentee ballot, the absentee
3 ballot is void. At the spring election, the board of canvassers shall publicly declare the results
4 on or before the 2nd Tuesday in April. The board of canvassers shall prepare a statement
5 showing the results of each election for any municipal office and each municipal referendum.
6 After each primary for municipal offices, the board of canvassers shall prepare a statement
7 certifying the names of those persons who have won nomination to office. After each other
8 election for a municipal office and each municipal referendum, the board of canvassers shall
9 prepare a determination showing the names of the persons who are elected to each municipal
10 office and the results of each municipal referendum. The board of canvassers shall file each
11 statement and determination in the office of the municipal clerk or board of election
12 commissioners.

13 **SECTION 107.** 7.53 (2m) of the statutes is created to read:

14 **7.53 (2m) BOARD OF ABSENTEE BALLOT CANVASSERS.** (a) If a municipality elects to count
15 absentee ballots in the manner provided for in s. 7.52, the municipality shall establish a board
16 of absentee ballot canvassers as provided in sub. (b).

17 (b) Except as provided in par. (c), the municipal board of absentee ballot canvassers shall
18 be composed of the municipal clerk, or a designated representative of the clerk, and 2 other
19 qualified electors of the municipality appointed by the clerk. The members of the absentee
20 ballot board of canvassers shall serve for 2-year terms commencing on January 1 of each
21 odd-numbered year, except that any member who is appointed to fill a permanent vacancy
22 shall serve for the unexpired term of the original appointee. If the municipal clerk's office is
23 vacant or if the clerk and the clerk's designee cannot perform his or her duties, the mayor,
24 president or board chairperson of the municipality shall designate another qualified elector of

1 the municipality to serve in lieu of the clerk for that election. If the clerk is a candidate at an
2 election being canvassed, the clerk or the clerk's designee may perform the clerk's duties on
3 the board of absentee ballot canvassers only if the clerk does not have an opponent whose
4 name appears on the ballot. If the clerk is a candidate at the election being canvassed by the
5 board of absentee ballot canvassers and has an opponent whose name appears on the ballot,
6 the mayor, president, or board chairperson of the municipality shall designate another
7 qualified elector of the municipality to serve in lieu of the clerk and his or her designee for that
8 election. If any other member of the board of absentee ballot canvassers is a candidate at the
9 election being canvassed, the clerk shall appoint another qualified elector of the municipality
10 to temporarily fill the vacancy.

11 (c) Nothing in this subsection shall preclude the municipal clerk from appointing
12 individuals to the board of absentee ballot canvassers who are simultaneously serving on any
13 other board of canvassers.

14 **SECTION 108.** 7.60 (2) of the statutes is amended to read:

15 **7.60 (2) COUNTY BOARD OF CANVASSERS.** The county clerk and 2 qualified electors of
16 the county appointed by the clerk constitute the county board of canvassers. The members
17 of the board of canvassers shall serve for 2-year terms commencing on January 1 of each
18 odd-numbered year, except that any member who is appointed to fill a permanent vacancy
19 shall serve for the unexpired term of the original appointee. One member of the board of
20 canvassers shall belong to a political party other than the clerk's. The county clerk shall
21 designate a deputy clerk who shall perform the clerk's duties as a member of the board of
22 canvassers in the event that the county clerk's office is vacant, or the clerk cannot perform his
23 or her duties, ~~or the clerk is a candidate at an election being canvassed.~~ If the county clerk and
24 designated deputy clerk are both unable to perform their duties, the county executive or, if

1 there is no county executive, the chairperson of the county board of supervisors shall designate
2 another qualified elector of the county to perform the clerk's duties. If a member other than
3 the clerk cannot perform his or her duties, the clerk shall appoint another member to serve.
4 ~~No~~ Except as otherwise provided in this subsection, no person may serve on the county board
5 of canvassers if the person is a candidate for an office to be canvassed by that board. If the
6 clerk is a candidate at an election being canvassed, the clerk may perform his or her duties on
7 the board only if the clerk has no opponent whose name appears on the ballot, or, in the case
8 of a recount, if the office the clerk is seeking is not a subject of the recount. If lists of candidates
9 for the county board of canvassers are submitted to the county clerk by political party county
10 committees, the lists shall consist of at least 3 names and the clerk shall choose the board
11 members from the lists. Where there is a county board of election commissioners, it shall serve
12 as the board of canvassers. If the county board of election commissioners serves as the board
13 of canvassers, the executive director of the county board of election commissioners shall serve
14 as a member of the board of canvassers to fill a temporary vacancy on that board.

15 **SECTION 109.** 8.10 (3) (intro.) of the statutes is amended to read:

16 8.10 (3) (intro.) The certification of a qualified elector circulator under s. 8.15 (4) (a)
17 shall be appended to each nomination paper. The number of required signatures on
18 nomination papers filed under this section is as follows:

19 **SECTION 110.** 8.15 (4) (a) of the statutes is amended to read:

20 8.15 (4) (a) The certification of a qualified elector circulator stating his or her residence
21 with street and number, if any, shall appear at the bottom of each nomination paper, stating
22 he or she personally circulated the nomination paper and personally obtained each of the
23 signatures; he or she knows they are electors of the ward, aldermanic district, municipality or
24 county, as the nomination papers require; he or she knows they signed the paper with full

1 knowledge of its content; he or she knows their respective residences given; he or she knows
2 each signer signed on the date stated opposite his or her name; and, that he or she, the
3 circulator, ~~resides within the district which the candidate named therein will represent, if~~
4 ~~elected~~ is a qualified circulator; that he or she intends to support the candidate; and that he or
5 she is aware that falsifying the certification is punishable under s. 12.13 (3) (a), Wis. stats.
6 The circulator shall indicate the date that he or she makes the certification next to his or her
7 signature. The certification may be made by the candidate or any qualified elector circulator.

8 **SECTION 111.** 8.20 (3) of the statutes is amended to read:

9 8.20 (3) The certification of an elector a qualified circulator under s. 8.15 (4) (a) shall
10 be appended to each nomination paper.

11 **SECTION 112.** 8.37 of the statutes is amended to read:

12 **8.37 Filing of referenda petitions or questions.** Unless otherwise required by law,
13 all proposed constitutional amendments and any other measure or question that is to be
14 submitted to a vote of the people, or any petitions requesting that a measure or question be
15 submitted to a vote of the people, if applicable, shall be filed with the official or agency
16 responsible for preparing the ballots for the election no later than 42 days prior to the election
17 at which the amendment, measure or question will appear on the ballot. A copy of any such
18 measure or question filed on behalf of a school district shall also be provided to the clerk of
19 each county having territory within the school district no later than 42 days prior to the election
20 at which such measure or question will appear on the ballot.

21 **SECTION 113.** 8.40 (2) of the statutes is amended to read:

22 8.40 (2) The certification of a qualified elector circulator stating his or her residence
23 with street and number, if any, shall appear at the bottom of each separate sheet of each petition
24 specified in sub. (1), stating that he or she personally circulated the petition and personally

1 obtained each of the signatures; that the circulator knows that they are electors of the
2 jurisdiction or district in which the petition is circulated; that the circulator knows that they
3 signed the paper with full knowledge of its content; that the circulator knows their respective
4 residences given; that the circulator knows that each signer signed on the date stated opposite
5 his or her name; that the circulator resides ~~within the jurisdiction or district in which the~~
6 ~~petition is circulated~~ is a qualified circulator; and that the circulator is aware that falsifying
7 the certification is punishable under s. 12.13 (3) (a). The circulator shall indicate the date that
8 he or she makes the certification next to his or her signature.

9 **SECTION 114.** 9.01 (1) (b) (intro.) of the statutes is amended to read:

10 9.01 (1) (b) (intro.) The Except as provided in this paragraph, the proper board of
11 canvassers shall reconvene no earlier than 9 a.m. on the day following delivery of notice to
12 all candidates under sub. (2) and no later than 9 a.m. on the day following the last day for filing
13 of a petition and proceed to recount the ballots in the wards or municipalities specified and
14 to review the allegations of fact contained in the petition or petitions. If s. 6.22 (5m) (dm)
15 applies, the board of canvassers may not proceed with the recount until 9 a.m. on the day
16 following the last day for filing of a petition and, if s. 6.22 (5m) (e) applies, may not proceed
17 with the recount until it complies with s. 6.22 (5m) (f). The recount shall proceed for each ward
18 or municipality as follows:

19 **SECTION 115.** 9.01 (10) of the statutes is amended to read:

20 9.01 (10) STANDARD FORMS AND METHODS. The elections board shall prescribe standard
21 forms and procedures for the making of recounts under this section. The procedures
22 prescribed by the elections board shall require the boards of canvassers in recounts involving
23 more than one board of canvassers to consult with the elections board staff prior to beginning

1 any recount in order to ensure that uniform procedures are used, to the extent practicable, in
2 such recounts.

3 **SECTION 116.** 9.10 (2) (b) of the statutes is amended to read:

4 9.10 (2) (b) A recall petition for requesting the recall of a city, village, town or school
5 district office officer shall contain a statement of a reason for the recall which is related to the
6 official responsibilities of the official for whom removal is sought each cause for the recall
7 and the grounds that constitute each cause. In this paragraph, "cause" means official
8 misconduct or malfeasance in office.

9 **SECTION 117.** 9.10 (2) (d) of the statutes is amended to read:

10 9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless the
11 petitioner first files a registration statement under s. 11.05 (1) or (2) with the filing officer with
12 whom the petition is filed. The petitioner shall append to the registration a statement
13 indicating his or her intent to circulate a recall petition, the name of the officer for whom recall
14 is sought and, in the case of a petition for the recall of a city, village, town or school district
15 officer, a statement of a reason for the recall which is related to the official responsibilities of
16 the official for whom removal is sought each cause, as defined in par. (b), for the recall and
17 the grounds that constitute each cause. No petitioner may circulate a petition for the recall of
18 an officer prior to completing registration. The last date that a petition for the recall of a state,
19 congressional, legislative, judicial or county officer may be offered for filing is 5 p.m. on the
20 60th day commencing after registration. The last date that a petition for the recall of a city,
21 village, town or school district officer may be offered for filing is 5 p.m. on the 30th day
22 commencing after registration. After the recall petition has been offered for filing, no name
23 may be added or removed. No signature may be counted unless the date of the signature is
24 within the period provided in this paragraph.

1 **SECTION 118.** 9.10 (2) (em) 2. of the statutes is amended to read:

2 9.10 (2) (em) 2. ~~The residency of the circulator cannot be determined by the information~~
3 ~~given on the petition is not a qualified circulator.~~

4 **SECTION 119.** 9.10 (4) (a) of the statutes is amended to read:

5 9.10 (4) (a) Within 10 days after a petition for the recall of a city, village, town, or school
6 district official, officer is offered for filing, the officer against whom the petition is filed may
7 file a written challenge with the municipal clerk or board of election commissioners or school
8 district clerk with whom it is filed, specifying any alleged insufficiency. If a challenge is filed,
9 the petitioner may file a written rebuttal to the challenge with the clerk or board of election
10 commissioners within 5 days after the challenge is filed. If a rebuttal is filed, the officer against
11 whom the petition is filed may file a reply to any new matter raised in the rebuttal within 2 days
12 after the rebuttal is filed. Within 14 days after the expiration of the time allowed for filing a
13 reply to a rebuttal, the clerk or board of election commissioners shall file the certificate or an
14 amended certificate. Within 31 days after the petition is offered for filing, the clerk or board
15 of election commissioners shall determine by careful examination of the face of the petition
16 whether the petition is sufficient and shall so state in a certificate attached to the petition. If
17 the petition is found to be insufficient, the certificate shall state the particulars creating the
18 insufficiency. The petition may be amended to correct any insufficiency within 5 days
19 following the affixing of the original certificate. Within 2 days after the offering of the
20 amended petition for filing, the clerk or board of election commissioners shall again carefully
21 examine the face of the petition to determine sufficiency and shall attach to the petition a
22 certificate stating the findings. Immediately upon finding an original or amended petition
23 sufficient, except in cities over 500,000 population, the municipal clerk or, school district
24 clerk shall transmit the petition to the governing body or to the school board. Immediately

1 upon finding an original or amended petition sufficient, in cities over 500,000 population, the
2 board of election commissioners shall file the petition in its office.

3 **SECTION 120.** 10.01 (2) (e) of the statutes is amended to read:

4 10.01 (2) (e) Type E—The type E notice shall state the qualifications for absentee
5 voting, the procedures for obtaining an absentee ballot in the case of registered and
6 unregistered voters, and the places and the deadlines for application and return of application,
7 including any alternate site under s. 6.855, and the office hours during which an elector may
8 cast an absentee ballot in the municipal clerk's office or at an alternate site under s. 6.855. The
9 municipal clerk shall publish a type E notice on the 4th Tuesday preceding each spring primary
10 and election, on the 4th Tuesday preceding each September primary and general election, on
11 the 4th Tuesday preceding the primary for each special national, state, county or municipal
12 election if any, on the 4th Tuesday preceding a special county or municipal referendum, and
13 on the 3rd Tuesday preceding each special national, state, county or municipal election to fill
14 an office which is not held concurrently with the spring or general election. The clerk of each
15 special purpose district which calls a special election shall publish a type E notice on the 4th
16 Tuesday preceding the primary for the special election, if any, on the 4th Tuesday preceding
17 a special referendum, and on the 3rd Tuesday preceding a special election for an office which
18 is not held concurrently with the spring or general election except as authorized in s. 8.55 (3).

19 **SECTION 121.** 10.02 (3) (a) of the statutes is amended to read:

20 10.02 (3) (a) Upon entering the polling place and before being permitted to vote, an
21 elector shall state his or her name and address and provide identification proof of residence
22 under s. 6.34 if required by federal law. Where ballots are distributed to electors, the initials
23 of 2 inspectors must appear on the ballot. Upon being permitted to vote, the elector shall retire
24 alone to a voting booth or machine and cast his or her ballot, except that an elector who is a

1 parent or guardian may be accompanied by the elector's minor child or minor ward. An
2 election official may inform the elector of the proper manner for casting a vote, but the official
3 may not in any manner advise or indicate a particular voting choice.

4 **SECTION 122.** 12.03 (title) and (1) of the statutes are amended to read:

5 12.03 (title) **~~Election day campaigning~~ Campaigning restricted.** (1) No election
6 official may engage in electioneering on election day. No municipal clerk, employee of the
7 clerk, or other person who assists electors cast absentee ballots in the clerk's office or at an
8 alternate site under s. 6.855 may engage in electioneering in the clerk's office or at the alternate
9 site during the hours that ballots may be cast at those locations.

10 **SECTION 123.** 12.03 (2) of the statutes is repealed and recreated to read:

11 12.03 (2) (a) 1. No person may engage in electioneering during polling hours on
12 election day at a polling place.

13 2. No person may engage in electioneering during the hours that absentee ballots may
14 be cast in the municipal clerk's office or at an alternate site under s. 6.855.

15 (b) 1. No person may engage in electioneering during polling hours on any public
16 property on election day within 100 feet of an entrance to a building containing a polling place.

17 2. No person may engage in electioneering during the hours that absentee ballots may
18 be cast on any public property within 100 feet of an entrance to a building containing the
19 municipal clerk's office or an alternate site under s. 6.855.

20 (c) This subsection does not apply to the placement of any material on the bumper of
21 a motor vehicle that is located on such property on election day or during the hours that
22 absentee ballots may be cast.

23 **SECTION 124.** 12.03 (4) of the statutes is amended to read:

1 12.03 (4) In this section, "electioneering" means any activity which is intended to
2 influence voting at an election or voting by absentee ballot.

3 **SECTION 125.** 12.035 of the statutes is created to read:

4 **12.035 (1)** In this section, "election-related material" means any written matter which
5 describes, or purports to describe, the rights or responsibilities of individuals voting or
6 registering to vote at a polling place or voting an absentee ballot at the office of the municipal
7 clerk or an alternate site under s. 6.855.

8 **(2)** The legislature finds that posting or distributing election-related material at the
9 polling place, at locations where absentee ballots may be cast, or near the entrance to such
10 locations when voting is taking place may mislead and confuse electors about their rights and
11 responsibilities regarding the exercise of the franchise and tends to disrupt the flow of voting
12 activities at such locations. The legislature finds that the restrictions imposed by this section
13 on the posting or distribution of election-related material are necessary to protect the
14 compelling governmental interest in orderly and fair elections.

15 **(3) (a)** No person may post or distribute any election-related material during polling
16 hours on election day at a polling place.

17 **(b)** No person may post or distribute any election-related material during polling hours
18 on any public property on election day within 100 feet of an entrance to a building containing
19 a polling place.

20 **(c)** No person may post or distribute any election-related material during hours that
21 absentee ballots may be cast at the office of the municipal clerk or at an alternate site under
22 s. 6.855.

1 (d) No person may post or distribute election-related material during the hours that
2 absentee ballots may be cast on any public property within 100 feet of an entrance to a building
3 containing the office of the municipal clerk or an alternate site under s. 6.855.

4 (4) Subsection (3) does not apply to any of the following:

5 (a) Election-related material posted or distributed by the municipal clerk or other
6 election officials.

7 (b) The placement of any material on the bumper of a motor vehicle located on such
8 property.

9 (5) A municipal clerk, election inspector, or law enforcement officer may remove
10 election-related material posted in violation of sub. (3) and may confiscate election-related
11 material distributed in violation of sub. (3).

12 **SECTION 126.** 12.07 (2) of the statutes is amended to read:

13 12.07 (2) No employer may refuse to allow an employee to serve as an election official
14 under s. 7.30 or make any threats or offer any inducements of any kind to the employee for
15 the purpose of preventing the employee from so serving.

16 **SECTION 127.** 12.09 of the statutes is repealed and recreated to read:

17 **12.09 Election Threats. (1)** No person may personally or through an agent make use
18 of or threaten to make use of force, violence, or restraint in order to induce or compel any
19 person to vote or refrain from voting at an election.

20 (2) No person may personally or through an agent, by abduction, duress or any
21 fraudulent device or contrivance, impede or prevent the free exercise of the franchise at an
22 election.

1 **(3)** No person may personally or through an agent, by any act compel, induce, or prevail
2 upon an elector either to vote or refrain from voting at any election for or against a particular
3 candidate or referendum.

4 **SECTION 128.** 12.13 (3) (ze) of the statutes is created to read:

5 12.13 **(3)** (ze) Compensate an individual at a rate that varies in relation to the number
6 of voter registrations gathered.

7 **SECTION 129.** 12.13 (4) of the statutes is repealed.

8 **SECTION 130.** 12.60 (1) (b) of the statutes is amended to read:

9 12.60 **(1)** (b) Whoever violates s. 12.03, 12.05, 12.07, 12.08 or 12.13 (2) (b) 8.,(3) (b),
10 (c), (d), (g), (i), (n) to (x), (ze), (zm) or (zn) may be fined not more than \$1,000, or imprisoned
11 not more than 6 months or both.

12 **SECTION 131.** 12.60 (1) (c) of the statutes is amended to read:

13 12.60 **(1)** (c) Whoever violates s. 12.13 (3) (am) ~~or~~ (4) may be required to forfeit not
14 more than \$500.

15 **SECTION 132.** 12.60 (1) (d) of the statutes is amended to read:

16 12.60 **(1)** (d) Whoever violates s. 12.035 or 12.13 (3) (h) may be required to forfeit not
17 more than \$100.

18 **SECTION 133.** 17.29 of the statutes is amended to read:

19 **17.29 Effect of chapter.** The provisions of this chapter supersede all contrary
20 provisions in either the general law or in special acts, except ~~ch. 7 ss. 6.26 (2) (b), 6.28 (2) (b),~~
21 6.55 (6), 6.873, and 7.30 relating to appointed election officers ~~appointed for the election~~
22 ~~wards or polling places in the state~~ officials and ch. 21 relating to the military staff of the
23 governor and to officers of the Wisconsin national guard; and shall govern all offices whether
24 created by general law or special act, unless otherwise specially provided.

1 **SECTION 134.** 301.03 (3a) of the statutes is created to read:

2 301.03 **(3a)** Subject to all of the following, design a form to provide notice under ss.
3 302.117, 973.09 (4m), and 973.176 (2) of ineligibility to vote under s. 6.03 (1) (b):

4 (a) The form shall inform the person who is ineligible to vote that he or she may not vote
5 in any election until his or her civil rights are restored.

6 (b) The form shall inform the person who is ineligible to vote when his or her civil rights
7 are expected to be restored.

8 (c) The form shall include a place for the person to sign indicating that he or she
9 understands that he or she may not vote in any election until his or her civil rights are restored.

10 The form shall include a place also for a witness signature.

11 (d) The form shall be kept in the person's file and a copy shall be given to the person.

12 **SECTION 135.** 301.03 (20) of the statutes is created to read:

13 301.03 **(20)** Transmit to the elections board, on a continuous basis, a list containing the
14 name of each living person who has been convicted of a felony under the laws of this state and
15 whose civil rights have not been restored, together with his or her residential address and the
16 date on which the department expects his or her civil rights to be restored.

17 **SECTION 136.** 302.117 of the statutes is amended to read:

18 **302.117 Notice regarding ineligibility to vote.** When an inmate who is disqualified
19 from voting under s. 6.03 (1) (b) is released to parole or extended supervision, the department
20 shall inform the person in writing that he or she may not vote in any election until his or her
21 civil rights are restored. The department shall use the form designed under s. 301.03 (3a) to
22 inform the person, and the person and a witness must sign the form.

23 **SECTION 137.** 880.33 (9) of the statutes is amended to read:

1 880.33 (9) All the rights and privileges afforded a proposed incompetent under this
2 section shall be given to any person who is alleged to be ineligible to register to vote or to vote
3 in an election by reason that such person is incapable of understanding the objective of the
4 elective process. The determination of the court shall be limited to a finding that the elector
5 is either eligible or ineligible to register to vote or to vote in an election by reason that the
6 person is or is not capable of understanding the objective of the elective process. The
7 determination of the court shall be communicated in writing by the clerk of court to the
8 election official or agency charged under s. 6.48, 6.92, 6.925 or, 6.93, or 7.52 (5) with the
9 responsibility for determining challenges to registration and voting which may be directed
10 against that elector. The determination may be reviewed as provided in s. 880.34 (4) and (5)
11 and any subsequent determination of the court shall be likewise communicated by the clerk
12 of court.

13 **SECTION 138.** 973.09 (4m) of the statutes is amended to read:

14 973.09 (4m) The department shall inform each probationer who is disqualified from
15 voting under s. 6.03 (1) (b) that he or she may not vote in any election until his or her civil rights
16 are restored. The department shall use the form designed under s. 301.03 (3a) to inform the
17 probationer, and the probationer and a witness must sign the form.

18 **SECTION 139.** 973.176 (2) of the statutes is amended to read:

19 973.176 (2) VOTING. Whenever a court imposes a sentence or places a defendant on
20 probation for a conviction that disqualifies the defendant from voting under s. 6.03 (1) (b), the
21 court shall inform the defendant in writing that he or she may not vote in any election until
22 his or her civil rights are restored. The court shall use the form designed by the department
23 of corrections under s. 301.03 (3a) to inform the defendant, and the defendant and a witness
24 must sign the form.

1 **SECTION 140. Initial applicability.** (1) NOTICE OF SCHOOL DISTRICT REFERENDA. The
2 treatment of section 8.37 first applies to a measure or question required to be filed under
3 section 8.37 of the statutes on or after the effective date of this act.

4 (2) RECOUNTS. The treatment of section 5.90 by this act first applies to recount petitions
5 filed on the effective date of this act.

6 (3) TERMS OF CERTAIN POLL WORKERS. The treatment of sections 7.30 (2) (am), (6) (a),
7 and (6) (am) first applies to appointments made on or after the effective date of this act.

8 (1) PETITIONS FOR RECALL. The treatment of sections 9.10 (2) (b), (d), and (4) (a) first
9 applies with respect to petitions for recall that are offered for filing on the effective date of this
10 subsection.

11 (2) CIRCULATORS OF NOMINATION PAPERS AND PETITIONS. The treatment of sections 5.02
12 (16g), 8.10 (3) (intro.), 8.15 (4) (a), 8.20 (3), 8.40 (2), and 9.10 (2) (am) 2., first applies with
13 respect to nomination paper circulation periods that begin and petitions that are initially
14 circulated on the effective date of this subsection.

15 (6) NOTIFICATION REGARDING INELIGIBILITY TO VOTE DURING PAROLE OR EXTENDED
16 SUPERVISION. The treatment of section 302.117 of the statutes first applies to persons whom
17 the department of corrections releases to parole or extended supervision on the effective date
18 of this subsection.

19 (7) NOTIFICATION REGARDING INELIGIBILITY TO VOTE DURING PROBATION. The treatment
20 of section 973.09 (4m) of the statutes first applies to persons whom the court places on
21 probation on the effective date of this subsection.

22 (8) NOTIFICATION AT SENTENCING REGARDING INELIGIBILITY TO VOTE. The treatment of
23 section 973.176 (2) of the statutes first applies to persons whom the court sentences on the
24 effective date of this subsection.

1 (9) ELECTION OFFICIAL TRAINING. The treatment of sections 7.15 (1m), 7.30 (2) (c), and
2 7.31 by this act first applies to election officials appointed to serve for elections held in 2008.

3 **SECTION 141. Nonstatutory provisions.** (1) The elections board shall prepare a report
4 and recommendations with regard to state and local election-related contingency planning
5 efforts and preparedness regarding natural disasters or terrorist activities that may occur at or
6 near election time. No later than July 1, 2006, the elections board shall submit the report and
7 recommendations to the chief clerk of each house of the legislature for distribution to the
8 appropriate standing committees of the legislature in the manner provided under section
9 13.172 (3) of the statutes.

10 (1) The elections board shall prepare recommendations with regard to random
11 post-election audits of local election practices to be conducted in the fall of odd-numbered
12 years. The recommendations must include recommendations on how local election practices
13 may be reviewed by election officials of other, similar-size municipalities and how the state
14 will fund such audits. No later than December 31, 2006, the elections board shall submit the
15 recommendations to the chief clerk of each house of the legislature for distribution to the
16 appropriate standing committees of the legislature in the manner provided under s. 13.172 (3)
17 of the statutes.

18 (2) Polling place observation: rules.

19 (a) The elections board shall submit in proposed form the rules required under section
20 7.41 (5) of the statutes, as created by this act, to the legislative council staff under section
21 227.15 (1) of the statutes no later than February 1, 2006.

22 (b) Using the procedure under section 227.24 of the statutes, the elections board may
23 promulgate rules required under s. 7.41 (5) of the statutes, as created by this act, for the period
24 before the effective date of the rules submitted under paragraph (a), but not to exceed the

1 period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section
2 227.24 (1) (a), (2) (b), and (3) of the statutes, the board is not required to provide evidence that
3 promulgating a rule under this paragraph as an emergency rule is necessary for the
4 preservation of the public peace, health, safety, or welfare and is not required to provide a
5 finding of emergency for a rule promulgated under this paragraph.

6 (4) The elections board may promulgate emergency rules under section 227.24 of the
7 statutes implementing section 6.36 (5), as created by this act. Notwithstanding section 227.24
8 (1) (c) and (2) of the statutes, emergency rules promulgate under this subsection remain in
9 effect until the date on which permanent rules take effect. Notwithstanding section 227.24 (1)
10 (a) and (3) of the statutes, the elections board is not required to provide evidence that
11 promulgating a rule under this subsection as an emergency rule is necessary for the
12 preservation of public peace, health, safety, or welfare and is not required to provide a finding
13 of emergency for a rule promulgated under this subsection.

14 (5) No later than the first day of the 6th month beginning after the effective date of this
15 subsection, the department of corrections shall distribute, and have signed in front of a witness,
16 a copy of the form designed under section 301.03 (3a) of the statutes, as created by this act,
17 to each person who is on probation, parole, or extended supervision on that date and who is
18 disqualified from voting in any election under section 6.03 (1) (b) of the statutes.

19 **SECTION 142. Effective date.** This act takes effect on January 1, 2006, except as
20 follows:

21 (1) **EFFECTIVE DATE FOR NOTIFICATION.** The treatment of sections 302.117, 973.09 (4m),
22 and 973.176 (2) of the statutes and section 133 (6), (7), and (8) of this act take effect on the
23 first day of the 6th month beginning after publication.

(2) EFFECTIVE DATE FOR FORMS. The treatment of section 301.03 (3a) of the statutes and section 132 (5) of this act take effect on the day after publication.

3 (END)

20